



W.P.(MD)No.8693 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.8693 of 2025

and WMP (MD) No.6510 of 2025

Sri Sangeetha Managala Vinayagar
City Shop Owners Welfare Association
Rep. by its President R.Karunanithi

: Petitioner

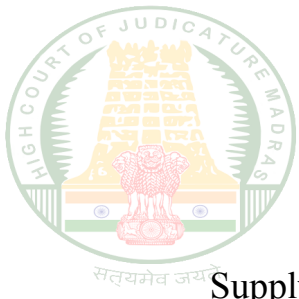
Vs.

1. The Commissioner of Municipal Administration,
3, M.R.C.Nagar,
Annamalaipuram,
Chennai - 28.

2. The Commissioner,
Pudukkottai Municipal Corporation,
Pudukkottai,
Pudukkottai District.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to issue written demand notice to the members of the petitioners association after fixing the quantum of advance amount and rent in respect of the shops that are going to be constructed by the respondents in Pudukkottai Bus stand, Pudukkottai town, Pudukkottai district by following the guidelines in G.O.Ms.No. 66 Municipal Administration and Water



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Supply Department dated 06.08.2024.

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For Petitioners : Mr.P.Gunasekaran

For Respondents : Mr.K.S.Selvaganesan

Additional Government Pleader for R1

ORDER

This Writ Petition has been filed seeking a direction to the respondents to issue written demand notice to the members of the petitioner's association after fixing the quantum of advance amount and rent in respect of the shops that are going to be constructed by the respondents in Pudukkottai Bus stand, Pudukkottai town, Pudukkottai district by following the guidelines in G.O.Ms.No. 66 Municipal Administration and Water Supply Department, dated 06.08.2024.

2. Heard the learned counsel for the parties. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself. Having regard to the nature of the order proposed to be passed in this writ petition, notice to the second respondent is dispensed with.



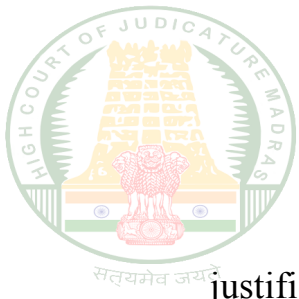
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3. Alleging that the second respondent is proposing to pass a resolution to allot shops in the new bus stand at Pudukottai District to third parties, excluding the members of the petitioner's Association, the petitioner submitted a representation to the respondents, requesting them to fix a reasonable advance amount that would be paid by the members of the Association. However, since no action was taken, the petitioner has now filed the present Writ Petition.

4. The learned counsel for the petitioner would submit that, it would suffice, if this Court issues a direction to the respondents 1 and 2 to consider the representation of the petitioner dated 03.03.2025 and pass appropriate orders, within a time frame that may be stipulated by this court.

5. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be



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justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

6. In the light of the above observations, there shall be a direction to the first respondent to consider the petitioner's representation dated 03.03.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, as well as all other persons, who may be interested in the subject matter, within a period of four weeks from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the first respondent to consider the same on its own merits.

7. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

01.04.2025

Index : Yes / No

Internet : Yes / No

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VIVEK KUMAR SINGH, J.

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